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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

KELLYE ANNE HUIZAR,)	1:20-cv-01377-GSA
)	
Plaintiff,)	STIPULATION TO REMAND PURSUANT
)	TO SENTENCE FOUR OF 42 U.S.C. §
vs.)	405(g)
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of Social Security, ¹)	
)	
Defendant.)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties, through their undersigned attorneys, and with the approval of the Court, that the Acting Commissioner of Social Security (Commissioner) has agreed to a voluntary remand of this case for further administrative proceedings, pursuant to *sentence four* of 42 U.S.C. § 405(g).

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 On remand, the Appeals Council will remand the case to an administrative law judge
2 (ALJ) for a new decision. The Appeals Council will instruct the ALJ to offer Plaintiff a new
3 hearing and obtain further testimony from the vocational expert.

4 The parties further request that the Clerk of the Court be directed to enter a final
5 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
6 Commissioner.

7
8 Dated: September 22, 2021

Respectfully submitted,

9 Pena & Bromberg, Attorneys at Law

10 /s/ Jonathan Pena by Chantal R. Jenkins*

11 *As authorized via email on September 22, 2021

12 Jonathan Omar Pena

13 Attorney for Plaintiff

14 Dated: September 22, 2021

PHILLIP A. TALBERT

Acting United States Attorney

15 DEBORAH LEE STACHEL

16 Regional Chief Counsel, Region IX

17 Social Security Administration

18 By: /s/ Chantal R. Jenkins

19 CHANTAL R. JENKINS

20 Special Assistant United States Attorney

21
22
23 IT IS SO ORDERED.

24
25 Dated: September 22, 2021

/s/ Gary S. Austin

26 UNITED STATES MAGISTRATE JUDGE

27 :
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